

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent of REIT Contact LLC

No. 7,346,567

Issued March 18, 2008

For CONDITIONAL FEE OWNERSHIP HOME FINANCING SYSTEM AND BUSINESS METHOD

September 3, 2008

LETTER TO THE PATENT AND TRADEMARK OFFICE

TO THE COMMISSIONER FOR PATENTS,

SIR:

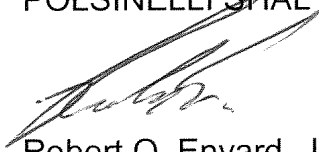
On studying the above-identified patent, the following errors, noted on the attached form PTO/SB/44, apparently made by the Patent and Trademark Office were found: **allowed claims 35, 36, 37, 38, 39, 40 and 41 are missing.**

REMARKS

In support of this request, applicant submits a copy of the Supplemental Notice of Allowability mailed January 17, 2008. We respectfully request that a Certificate of Correction be issued.

Respectfully submitted,

POLSINELLI SHALTON FLANIGAN SUELTHAUS PC



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Attorney for Applicant/Patent Owner

ROE/caa  
Via EFS

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 2

PATENT NO. : 7,346,567

APPLICATION NO.: 10/064,228

ISSUE DATE : March 18, 2008

INVENTOR(S) : CONDITIONAL FEE OWNERSHIP HOME FINANCING SYSTEM AND BUSINESS METHOD

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 16, last page:

35. The method of claim 32, wherein said conditional fee purchaser pays the seller cash for said conditional fee interest in said real property.

36. The method of claim 33, wherein the conditions upon which said fee simple interest automatically vests in said conditional remainder purchaser comprise the group consisting of said conditional fee purchaser's failure to pay to conditional remainder purchaser a fixed dollar amount less than the fair market value on the determination date, said conditional fee purchaser's failure to pay to said conditional remainder purchaser a fixed dollar amount above the fair market value at the date the conditional fee agreement goes into effect on said determination date, initiating of collection actions by the financial institution against said conditional fee purchaser, initiation of foreclosure action by the financial institution against said conditional fee purchaser, said conditional fee purchaser's failure to pay property taxes on said real property, said conditional fee purchaser's failure to maintain hazard insurance on said real property, said conditional fee purchaser's failure to maintain flood insurance, if applicable, on said real property, and combinations thereof.

37. The method of claim 34, wherein said conditional remainder purchaser does not guarantee said conditional fee purchaser's loan with the financial institution.

38. The method of claim 37, wherein an initiation of a collection action by a financial institution does not automatically vest the fee simple interest in said conditional remainder purchaser.

39. The method of claim 37, wherein an initiation of a foreclosure action by the financial institution does not automatically vest the fee simple interest in said conditional remainder purchaser.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Robert O. Enyard, Jr., Esq.  
POLSINELLI SHALTON FLANIGAN SUELTHAUS, PC  
100 South Fourth Street, Suite 1100, St. Louis, Missouri 63102

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 2 of 2

PATENT NO. : 7,346,567

APPLICATION NO.: 10/064,228

ISSUE DATE : March 18, 2008

INVENTOR(S) : CONDITIONAL FEE OWNERSHIP HOME FINANCING SYSTEM AND BUSINESS METHOD

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

40. The method of claim 32, wherein the price said conditional fee purchaser is to pay said conditional remainder purchaser on said determination date is a fixed price at the time of entering said conditional fee agreement.

41. The method of claim 32, wherein the price said conditional fee purchaser is to pay said conditional remainder purchaser at said determination date is said amount of the fair market value of said real property on said determination date.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Robert O. Enyard, Jr., Esq.  
POL SINELLI SHALTON FLANIGAN SUELTHAUS, PC  
100 South Fourth Street, Suite 1100, St. Louis, Missouri 63102

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/064,228

06/21/2002

Stephen M. Weeks

116377

4481

27148

7590

01/17/2008

POL SINELLI SHALTON FLANIGAN SUELTHAUS PC

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EXAMINER

BASIT, ABDUL

ART UNIT

PAPER NUMBER

3694

MAIL DATE

DELIVERY MODE

01/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

10/064,228

Examiner

Abdul Basit

Applicant(s)

WEEKS, STEPHEN M.

Art Unit

3694

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

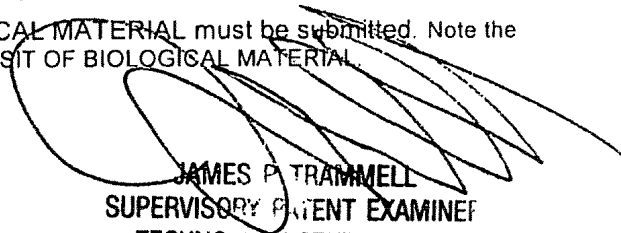
1. ☒ This communication is responsive to 4/18/2007.
2. ☒ The allowed claim(s) is/are 1-41.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☒ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

  
JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DETAILED ACTION**

***Supplemental Action***

***Allowable Subject Matter***

The previous office action for allowance stated claims 1-34 are allowed. The action should have stated claims 1-41 are allowed. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is Hammour et al. (US Pub. No. 2003/0233324), which discloses a declining balance co-ownership financial arrangement.

***Regarding claim 1, 13, 21, and 32:***

Hammour taken individually or in combination with other prior art of record fails to teach or suggest that a conditional remainder purchaser receives ownership interest in the real property only upon receipt of the fee simple interest on the determination date. Hammour teaches joint ownership at the inception of the creation of a relationship between one party providing financing to another party interested in purchasing real estate. Hammour does not teach or suggest a future interest exclusively, but rather teaches a present interest that decreases over a period of time.

***Regarding all other claims***

Since all other claims are dependent upon claims 1 or 13, or 21, or 32, the claims are also found allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

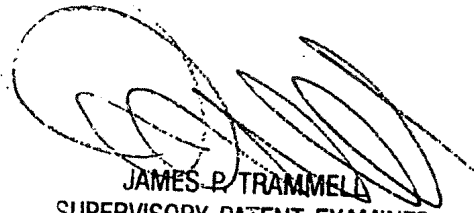
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdul Basit whose telephone number is 571 272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

aqb



JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600